

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

John Ley  
Clerk of Court

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May 04, 2011

Sheryl L. Loesch  
United States District Court  
U.S. Courthouse & Federal Building  
2110 First Street  
Ft. Myers, FL 33901

Appeal Number: 11-11205-I  
Case Style: Billy Kidwell v. G. Wagoner, et al  
District Court Docket No: 2:09-cv-00108-CEH-DNF

The enclosed certified copy of this Court's Order of Dismissal is issued as the mandate of this court. See 11th Cir. R. 41-4. Counsel and pro se parties are advised that pursuant to 11th Cir. R. 27-2, "a motion to reconsider, vacate, or modify an order must be filed within 21 days of the entry of such order. No additional time shall be allowed for mailing."

Sincerely,

JOHN LEY, Clerk of Court

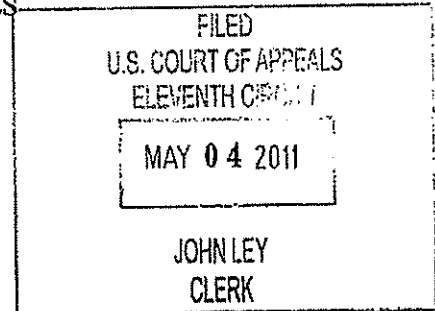
Reply to: Gloria M. Powell, I  
Phone #: (404) 335-6184

Enclosure(s)

DIS-4 Multi-purpose dismissal letter

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 11-11205-I  
\_\_\_\_\_



BILLY R. KIDWELL,

Plaintiff - Appellant,

versus

G. RICHARD WAGONER, GM CEO sued in a personal capacity,  
PERCY N. BARMEVIK, GM Board of Directors sued in a personal capacity,  
ERSKINE B. BOWLES, GM Board of directors sued in a personal capacity,  
JOHN H. BRYAN, GM Board of Directors sued in a personal capacity,  
ARMANDO M. CODINA, GM Board of Directors sued in a personal capacity, *et al.*,

Defendants - Appellees.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Middle District of Florida  
\_\_\_\_\_

Before HULL, WILSON, and MARTIN, Circuit Judges.

BY THE COURT:

This appeal is *sua sponte* DISMISSED for lack of jurisdiction. The magistrate judge's February 11, 2011, order denying Kidwell's motion for appointment of counsel and stay of proceedings until counsel is appointed, and the magistrate judge's February 11, 2011, order granting Kidwell's motion to proceed *in forma pauperis* ("IFP") in the district court case, denying the motion to proceed IFP as to an appellate court case, and granting the motion for enlargement of time to file an amended complaint are not final orders and may not be appealed

until rendered final by a district court. *See* 28 U.S.C. § 636(b)(1); *Donovan v. Sarasota Concrete Co.*, 693 F.2d 1061, 1066-67 (11th Cir. 1982).

No motion for reconsideration may be filed unless it complies with the timing and other requirements of 11th Cir.R. 27-2 and all other applicable rules.